

SENATE BILL 2862

By Bailey

AN ACT to amend Tennessee Code Annotated, Title 39,  
relative to intimidation of participants in legal  
proceedings.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 16, Part 5, is amended by  
adding the following as a new section:

(a) As used in this section:

(1) "Immediate family" means a spouse, child, parent, or other blood  
relative who lives in the same residence as a participant;

(2) "Judge" means a judge presiding over a proceeding in a court of this  
state or a political subdivision of this state, or an administrative proceeding;

(3) "Participant" means a party to or participant in a legal or  
administrative proceeding, and includes:

(A) A law enforcement officer;

(B) A judge;

(C) A prosecutor, defense attorney, or other attorney of record in  
the legal proceeding;

(D) A juror;

(E) A witness;

(F) A member or employee of a state or local legislative body;

and

(G) A participant's immediate family member; and

(4) "Personal information" means the home address, home telephone number, personal mobile telephone number, pager number, personal email address, or a personal photograph of a participant, directions to the home of a participant, photographs of the home or vehicle of a participant, the name or address of an employer of a participant, and the name and address of the school of a participant.

(b) It is an offense for a person to intimidate, or attempt to intimidate, a participant by:

(1) The use of physical force or a threat of physical force directed at the participant for the purpose of:

(A) Influencing the testimony, vote, decision, or opinion of the participant;

(B) Inducing the participant to avoid showing up and participating in a legal proceeding after the participant receives legal process summoning the participant to testify;

(C) Inducing the participant to withhold a record, document, or other object from a legal proceeding;

(D) Inducing the participant to alter, destroy, mutilate, or conceal an object with intent to impair the object's integrity or availability for use in a legal proceeding; or

(E) Hindering, delaying, or preventing the communication to a law enforcement officer or judge information relating to the possible commission of an offense or a violation of conditions of probation, parole, or release pending a judicial proceeding;

(2) Engaging in criminal trespass, as defined in § 39-14-405, or aggravated criminal trespass, as defined in § 39-14-406, at the residence or workplace of the participant; or

(3) Engaging in vandalism, as defined in § 39-14-408; disorderly conduct, as defined in § 39-17-305; rioting, as defined in § 39-17-302; or aggravated rioting, as defined in § 39-17-303, at the residence or workplace of the participant.

(c) For purposes of this section:

(1) An official legal proceeding is not required to be pending at the time of the offense; and

(2) As applicable under this section, the testimony, record, document, or other object is not required to be admissible as evidence or free of a claim of privilege.

(d) A violation of subsection (b) is a Class D felony.

(e) In order for a person to be convicted of a violation of this section, the act against a participant must be related to the performance of a duty or role played by the participant in a legal proceeding or an anticipated legal proceeding.

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it, and applies to acts committed on or after that date.